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jc849 U.S. PTO

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2300-0037.04  
PATENT

1017 U.S. PTO  
09/931216  
08/16/01

# REQUEST FOR FILING CONTINUATION/DIVISIONAL APPLICATION

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

☒ "Express Mail" Mailing Label No. EL 873 906 645 US Date of Deposit August 16, 2001  
I hereby certify that this paper or fee is being deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above  
and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Patricia A. Tekamp-Olson  
(Typed or Printed Name of Person Mailing Paper or Fee)

Patricia A. Tekamp-Olson  
(Signature of Person Mailing Paper or Fee)

Sir:

This is a request for filing a X continuation    divisional application under 37 C.F.R.  
1.53(b)(1), of pending prior application serial no. 08/449,070 filed on May 24, 1995, of Lawrence S.  
Cousens, Patricia A. Tekamp-Olson, Jeffrey R. Shuster and James P. Merryweather for EXPRESSION  
USING FUSED GENES PROVIDING FOR PROTEIN PRODUCT.

1. X Enclosed is an application filed under 37 C.F.R. 1.53(b)(1). No new matter has been added.
2.    Applicant(s) claim(s) small entity status.
3. X The filing fee is calculated below:

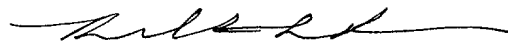
A.	Basic Application Fee		\$710
B.	Total Claims 7 - 20 = 0	x \$18	0
C.	Independent Claims 2 - 3 = 0	x \$80	0
D.	If multiple claims present, add	\$270	0
E.	Total Application Fee (Total of A, B, C & D)	=	<u>\$710</u>
F.	If small entity status is claimed, reduce Total Application Fee by 50%		<u>0</u>
G.	Total Fee Due (E - F)	=	\$710

4. X The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.
5. X A check to cover the \$ 710 application fee is attached.
6. X Cancel in this application original claims 2-17 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. X The inventor(s) of the invention being claimed in this application is (are): Lawrence S. Cousens, Patricia A. Tekamp-Olson, Jeffrey R. Shuster and James P. Merryweather.
8.    This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.53(b)(1), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application: .
9. X Amend the specification by inserting before the first line the sentence:  
This application is a X continuation    divisional of U.S. Patent Application Serial No. 08/449,070, filed May 24, 1995, which is a continuation of U.S. Serial No. 08/088,566, filed July 6, 1993 from which applications priority is claimed pursuant to 35 U.S.C. §120 and which applications are incorporated herein by reference in their entireties.
10. X The prior application is assigned of record to Chiron Corporation.
11. X A preliminary amendment is enclosed.
12. X Also enclosed: Blanket Petition for Extension of Time and Authorization to Charge or Credit Deposit Account, postcard.
13. X The power of attorney in the prior application is to Roberta L. Robins, Reg. No. 33,208.
- a. X The power appears in the original papers in the prior application.
- b.    Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. X Recognize the following individuals as Associate Attorneys: Lisa E. Alexander, Reg. No. 41,576, Robert P. Blackburn, Reg. No. 30,447, Anne S. Dollard, Reg. No. 43,935, Joseph H. Guth, Reg. No. 31,261, Alisa A. Harbin, Reg. No. 33,895, Charlene A. Launer, Reg. No. 33,035, David P. Lentini, Reg. No. 33,944, Kimberlin L. Morley, Reg. No. 35,391, Dahna S. Pasternak, Reg. No. 41,411 and Gary R. Fabian, Ph.D., Reg. No. 33,875.

d. X Address all future communications to Lisa E. Alexander at:

X CHIRON CORPORATION  
Intellectual Property - R440  
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Emeryville, CA 94662-8097  
Telephone: (510) 923-2585  
Facsimile: (510) 655-3542.

8/16/01  
(date)



(Attorney of Record)

Roberta L. Robins

Reg. No. 33,208

Address of signator:

   inventor(s)

   assignee of complete interest

X attorney or agent of record

   filed under § 1.34(a)

09316-001601